

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CLERK OF DISTRICT COURT
NORTHERN DIST. OF TX
FORT WORTH DIVISION
FILED
2022 OCT 20 PM 2:34
DEPUTY CLERK SKW

WESLEY HATTEN –
LOVETT,

Plaintiff,

v.

UNITED STATES,

Christopher Wray, Steny
Hoyer and Kevin Mc
Carthy.

§
§
§
§
§
§
§
§

CAUSE NO:

4 - 22 CV - 944 - 0

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF THE SAID COURT:

Plaintiff, Wesley Hatten -Lovett complains of the United States for the cause of action alleges the following;

NATURE OF CLAIM

This suit is brought against the defendant for the negligent omissions of bestiality and obscene content online. The defendant violated USC 18 § 1466- Engaging in the business of selling or transferring obscene matter. The defendant would violate 47 USC § 223 (d) - The communications decency act of 1996 and 18 USC § 1470- Transfer of obscene material to minors if the content is made available to anyone under the age of 18.

DISCOVERY

The discovery in this case is intended to be conducted under level 3 pursuant to Tex. R. Civ. P. 3.

PARTIES

The Plaintiff is Wesley D Hatten- Lovett who resides in the State of Texas. The Defendants are the United States with its principal place of residence located at 101 independence Ave S.E Washington D.C 20540, FBI Director Christopher Wray, Congressman Kevin Mc Carthy and Congressman Steny Hoyer.

FTCA

The Federal Tort Claims Act is a federal statute that was passed in 1946 that allows private parties to sue the United States for negligent or wrongful acts or omissions of employees of the federal government. The FTCA provides a waiver of sovereign immunity permitting citizens to sue the government.

ADMINISTRATIVE REMEDIES

The plaintiff has exhausted his administrative remedies by certified mail USPS: 9010-8134-8212-2220-8528-92.

SOVREIGN IMMUNITY

Typically the United States government has sovereign immunity which means a sovereign could not be subject to jurisdiction of another unless he consents. In 1946 The United States Congress passed the Federal Tort Claims Act which gave citizens a route to take when suing the federal government. To this date the FTCA has not been repealed or abolished. 28 USC § 2679-Exclusiveness of remedy 2. (b) states that a civil action may be brought against a federal government employee if a statute of the United States has been violated. Here, the plaintiff finds in statutory text consent to jurisdiction from congress and the federal government. The plaintiff also finds consent because all requirements of 28 USC § 2401- Time for commencing action against the United States have been met.

JURISDICTION

In order for this court to have jurisdiction, the defendant must violate the constitution or a federal statute pursuant to 28 USC § 1331 Federal Question. The defendant violated 18 USC § 1466 Engaging in the business of selling or transferring obscene matter by facilitating the content online. The plaintiff also establishes jurisdiction based off the Miller Test. The Miller Test is a 3 pronged test that judges use to determine whether a particular piece of content is obscene. See (*Miller v California 1973.*)

VENUE

This district court is proper pursuant to 28 USC § 1391 because a substantial amount of events giving rise to the claim occurred in this district. This venue is proper because the cause of action arose in this district. This venue is proper because the defendant is the United States which means any district court in the United States is proper.

INORDUCTION TO FACTS

The plaintiff was introduced to Zootube365.com approximately 14 years ago by a computer virus. The plaintiff cannot decide one way or the other if Zootube's owner used malware or if it was the federal government. The plaintiff is choosing not to focus on *who* used malware, but more so focusing on the presence and reasoning of bestiality content online. The plaintiff's injury occurred on 5/18/2021 when he was diagnosed with schizophrenia. The schizophrenia diagnosis stems from the belief that the United States federal government promotes illegal sexual activity online.

CAUSE OF ACTION # 1

The defendant violated 18 USC § 1466 – Engaging in the business of selling or transferring obscene matter, by facilitating the content online.

CAUSE OF ACTION #2

The defendant fails to investigate and combat cybercrime (*One of the FBI's duty's.*) Zootube365.com promotes illegal sexual activity. Failure to shut down the site is a breach of duty committed by the defendant.

CAUSE OF ACTION #3

Nonfeasance;

The defendant has unreasonably refused to perform their duties and obligations.

ELIMENTS OF NEGLIGENCE

DUTY-

- Investigate and combat cybercrime.
- Take down bestiality distributors for violating federal obscenity laws.
- Enforce federal laws.

BRACH OF DUTY-

- The defendant fails to enforce federal obscenity laws.
- The defendant has omitted that bestiality is obscene.
- The defendant should have known that bestiality content goes against moral standards of sexual activity.

CAUSE IN FACT-

A reasonable person would agree that if bestiality content were censored it could cause no harm to the plaintiff.

PROXIMATE CAUSE-

The plaintiff pleads that if he did not know of bestiality content he would not suffer any moral, mental or psychological damages.

THE MILLER TEST

The U.S. Supreme Court established the test that judges and juries use to determine whether matter is obscene in three major cases: *Miller v. California*, 413 U.S. 15, 24-25 (1973); *Smith v. United States*, 431 U.S. 291, 300-02, 309 (1977); and *Pope v. Illinois*, 481 U.S. 497, 500-01 (1987). The three-pronged *Miller* test is as follows:

1. Whether the average person, applying contemporary adult community standards, finds that the matter, taken as a whole, appeals to prurient interests (*i.e.*, an erotic, lascivious, abnormal, unhealthy, degrading, shameful, or morbid interest in nudity, sex, or excretion);
2. Whether the average person, applying contemporary adult community standards, finds that the matter depicts or describes sexual conduct in a patently offensive way (*i.e.*, ultimate sexual acts, normal or perverted, actual or simulated, masturbation, excretory functions, lewd exhibition of the genitals, or sado-masochistic sexual abuse); and
3. Whether a reasonable person finds that the matter, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Any material that satisfies this three-pronged test may be found obscene.

PLEADINGS SUMMARY

The plaintiff has commenced suit under the FTCA for omissions by federal government employees. The omissions are excluding bestiality content from being classified as obscene. Bestiality content violates federal obscenity laws and is not protected by the first amendment. See (*Reno v. ACLU* 521 U.S 844 (1998).) The employees responsible for committing this tort are; FBI Director Christopher Wray and the United States Federal Government which consists of The United States Congress, The United States Senate and The President.

RELIEF

Non- Monetary Relief

The Plaintiff seeks censorship of all domestic bestiality content online within 2 years after the date of a judgement.

Reason #1: Bestiality is obscene by regular English definition and is not protected under the first amendment. See (*Reno v. ACLU* 521 U.S 844 (1998.)

Reason #2: From a fundamental standpoint, human and animals are not intended to engage in sexual activity.

Reason #3: Morals; Weather if it is normal for humans to engage in sexual activity with animals.

Monetary Relief

The Plaintiff seeks Monetary Compensation for Mental Anguish.

Mental Anguish		
CAUSE	REASON	MONETERY COMPENSATION
Moral Harm	Weather if it is right to have sex with animals.	\$500,000.00
Following the instructions of Zootube365.com.	End result could be jail or prison.	\$500,000.00
Daily Living	Federal Government censorship Capabilities.	\$500,000.00
Schizophrenia Diagnosis	Lifelong diagnosis	\$500,000.00
Total Damages:		\$2,000,000.00

JURY DEMAND

The plaintiff respectfully a trial by jury.

PRAYER

Relief can be granted with the judgement with one or more of the following prayers;

- a. Judgement for removal of all domestic bestiality content online within 2 years from the date of a judgement for violating federal obscenity laws.
- b. Judgement for 2,000,000.00 for Mental Anguish.

Wesley Hatten –Lovett
1313 E Allen Ave Fort Worth TX , 76104
Cell: 817-891-5589
Pro Se,

A handwritten signature in black ink, appearing to read "Wesley Hatten Lovett", with a stylized flourish at the end.



FIND YOUR REPRESENTATIVE

Enter your zip code:

LOOK UP

Federal Tort Claims Act

This memorandum is intended to familiarize you generally with the Federal Tort Claims Act ("FTCA") and the protections it provides Members, Officers and employees of the House. This memorandum is not intended, however, to answer all questions or issues that may arise. Therefore, we encourage you to call the House Office of General Counsel ("OGC") immediately if you or a member of your staff has additional questions on this topic. **(Only House Members, Officers, or staff should call OGC. OGC cannot provide assistance to other federal government employees or members of the public.)**

Under the FTCA, the federal government acts as a self-insurer, and recognizes liability for the negligent or wrongful acts or omissions of its employees acting within the scope of their official duties. The United States is liable to the same extent an individual would be in like circumstances. The statute substitutes the United States as the defendant in such a suit and the United States—not the individual employee—bears any resulting liability.

A. Making a Claim Under the FTCA

Individuals who are injured or whose property is damaged by the wrongful or negligent act of a federal employee acting in the scope of his or her official duties may file a claim with the government for reimbursement for that injury or damage. In order to state a valid claim, the claimant must demonstrate that (1) he was injured or his property was damaged by a federal government employee; (2) the employee was acting within the scope of his official duties; (3) the employee was acting negligently or wrongfully; and (4) the negligent or wrongful act proximately caused the injury or damage of which he complains. The claimant must also provide documentation establishing that his claim satisfies all the elements of the FTCA.

A person wishing to make a claim for reimbursement under the FTCA for damage or injury caused by a House employee must first file an administrative claim with the House. The OGC will provide a potential claimant with a claim form and inform him as to the required documentation. Please have your staff notify the OGC immediately if an event occurs which you believe may give rise to an FTCA claim.

B. The FTCA in Lieu of a Certificate of Insurance

You may be asked to provide a certificate of insurance for the purpose of entering into a district office lease or for securing space in which to conduct a town hall meeting or other official event. The House does not carry a private insurance policy and generally does not permit Members to use the MRA to pay for a private insurance policy for these types of meetings or events. The OGC can provide a letter explaining the protections of the FTCA, and asking that the letter be accepted in lieu of a certificate of insurance.

DOING BUSINESS WITH THE HOUSE

Frequently Asked Questions

Additional Resources

Leases